

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES

MEETING 7

Department of Employment Building
Room 4131, Sacramento, California
June 17, 1960

The meeting was called for 9:30 A.M. but it was apparent by 9:55 A.M. that the formation of a quorum would be delayed because of airline flight difficulties. Pending a quorum, the Commissioners present conversed with guest, Ronald Pincomb:

LOHN R. FICKLIN, Chairman
HOWARD W. CAMPEN
ALLEN B. COTTAR
JAMES V. HICKS

Also present:

GENE MUEHLEISEN, Executive Officer
EUGENE HUSTON, Acting Executive Secretary
RAYMOND M. MOMBOISSE, Deputy Attorney General
JOYCE CLANCY, Secretary to Executive Officer

Guest present:

RONALD A. PINCOMB
Chief Program Officer,
Training Division
International Association of Chiefs of Police, Inc.
Mills Building, Pennsylvania Ave., at 17th St., N.W.
Washington 6, D.C.

Chief Pincomb explained that he was on a three week tour of the United States; calling upon the co-operating agencies; discussing the problems and answering any questions relating to the International Police Training Program. He stated that the Training Division was programming about three hundred foreign police officers throughout the United States under the Mutual Security Act which stemmed from the Marshall Plan. Heretofore such programming had been by the means of correspondence and since such communication is often unsatisfactory, Chief Pincomb was on his tour to make personal contacts and to elaborate on the program. The Chief explained that Director Russell A. Snook was seeking new ideas and new avenues by which to emphasize, amplify, and expedite the program.

Chairman Ficklin welcomed Chief Pincomb to the meeting and thanked Commissioner Hicks and his officer, Captain Bruce Guthrie for acting as host of the Chief during his stay in Sacramento. The Chairman expressed the gratification of the Commission that the I.A.C.P. Training Division was interested in the Commission and its activities and further expressed the hope that the Commission would create a program that would be worthy of emulation by other States and that the objective of the Commission was to this high purpose. The Chief responded by stating that the Training Division, although located on the East coast, was most interested in the progress of the West coast police agencies and that the Division was mindful of the progressive advancement in training made by the California police agencies.

Executive Officer Muehleisen informed those present that Chief Pincomb and Captain Guthrie had met in the office of Mr. Huston the previous day, at which time the Chief was pledged the full co-operation of the Commission in any mutual problems that might

arise. The Executive Officer explained that Sacramento would undoubtedly be the central point in California for co-operation with the I.A.C.P. Training Division because so many principal police service agencies of California were located in that city.

Commissioner Hicks stated that it was very gratifying to be a participating agency in such a program because his department had received most beneficial information from the foreign students respecting mutual problems.

A quorum being present the meeting was convened at 10:25 A.M. with the following Commissioners present:

LOHN R. FICKLIN, Chairman
MARTIN C. McDONNELL, Acting Vice-Chairman
HOWARD W. CAMPEN
ALLEN B. COPTAR
JAMES V. HICKS

Absent:

ROBERT T. ANDERSEN
DAN KELSAY
SAMUEL LEASK, JR.
One Commissioner position vacant

REVENUE

Commissioner Ficklin reminded the members that further contact was to be made with the State Controller regarding field audits and persistent collections of the revenues accruing to the Commission. Deputy Attorney General Raymond Momboisse (Counsel to the Commission) offered a copy of the Controller's Biennial Report to the Commission wherein there were references to the collection of such revenues. The correct title of the report is Collections and Earnings by the Municipal Courts of the Los Angeles Judicial District. Deputy Momboisse stated that the State Controller was very interested in the problem of such revenues, the proper reporting of the collections and the disposition of such funds. He stated that one of the great problems about such revenue occurred in cases where a prisoner served his sentence rather than paying the fine imposed and that in such cases the Judge was powerless to collect appropriate fees. It was stated that the Courts keep records that would be subject to audit in that the Clerk maintains a Docket of each case. However, the information may be in insufficient detail to be helpful to the County Auditor or reporting agency. At this time and because of such records, it would be impossible to calculate mathematically whether the 5% was being collected if such estimates were made upon the basis of the number of cases filed because of the grouping of the offenses involved. The State Controller has sent men into the field to instruct at local level the taking of this fine and to explain their procedure and their feeling pertaining to the law. In further pursuit of this subject, Deputy Momboisse stated, that the Office of the Attorney General was preparing for possible litigation in Los Angeles County. However, it was impossible for Deputy Momboisse to state whether

such preparation would reach the stage of litigation since co-operation by the Los Angeles authorities might obviate the necessity to file suit. Litigation might prove difficult because the statute provides that the imposing of fines is discretionary with the judge who in trying the case might find such a penalty a hardship.

Commissioner Campen inquired as to the attitude of the Municipal and Justice Court Judges respecting the levying of such penalties. Deputy Momboisse replied that he had heard of no reverberations and therefore was unfamiliar with any attitude on the part of such judges. Commissioner Campen inquired as to the accuracy of the "Guesstimate" of the revenue predicted for the Commission. Executive Officer Muehleisen stated that he felt any predictions or "Guesstimates" would have to be disregarded because there appeared to be no way of categorizing the fines to determine a proper disposition of such penalties. As of May 31, 1960, the revenue reported by the State Controller was \$129,097 as against an estimate of about \$480,000.

By order of the Chair, the subject was resolved as follows: The Executive Officer (upon assuming active responsibility for his position July 18, 1960) is to recommend to the Commission the proper pursuit of this subject through public relation channels. As, for example: with the Peace Officers Association Magazine and related groups; the Judges and Marshals Association; and particularly with the Office of State Controller. Particular emphasis was made upon the contact with the State Controller in that such negotiations might develop a more compatible form of reporting such court actions and penalties.

COMMISSION REGULATIONS

Pursuant to Sections 13506 and 13510 of the Penal Code of California.

Executive Officer Gene Muehleisen had previously prepared and mailed to each Commissioner a draft of Regulations consisting of the following Chapters:

- Objectives
- Definitions
- Minimum Standards for Recruitment
- Minimum Standards for Training
- Attendance and Record Keeping
- Examinations
- Time Limit for Completion of Course
- Certificates issued to Trainees and other Officers
- Certification of Schools
- Compliance
- Application for Subvention
- Assistance provided by the Commission
- Local Autonomy

The Commission conscientiously spent the remainder of the meeting deliberating the regulations drafted. Attached hereto is:

1. Original draft
2. Original draft as amended
3. Proposed regulations amended

11:50 A.M. the Commission adjourned for lunch.

12:30 P.M. reconvened.

HEARINGS

Deputy Attorney General Momboisse stated that a Notice of Hearing would be required to all persons and agencies who might have possible interest in such proceedings. The Notice of Hearing should include:

1. Time
2. Place
3. Nature of the proceedings
4. Reference to the authority under which the regulation is proposed
5. Reference to the specific Sections of the Code being implemented
6. Expressed terms of the implementation or an informative summary of the proceedings.

The following example was given as a proper form for such notice "Pursuant to Section _____ of the _____ on _____ at _____ a Hearing will be held to determine Minimum Standards of Training and Recruitment . . .". Deputy Momboisse stated that after the Hearings had been held, the Commission would be required to meet and formally adopt the measures. It was decided by the Commission to hold a Northern California Hearing in Sacramento, August 31, 1960, and the Southern California Hearing in Los Angeles, on September 7, 1960. The hour fixed for the convening of the Hearings was 10:00 o'clock in both Northern and Southern California. Deputy Attorney General Momboisse informed the Commission it would be necessary to publish Notice of the Hearing in at least one newspaper. It was decided that such a notice would be published in the Sacramento Bee. Deputy Momboisse also stated that a copy of the Notice had to be filed with the Rules Committee of each House of the Legislature and with any Organization or individual who had so requested formal Notice of such Hearings. A copy must also be mailed to the Attorney General. The Commission specified that such notices, with all of the attachments, should be mailed to all sheriffs; all chiefs of police; members of the League of California Cities; the County Supervisors Association and to any other groups determined by the Executive Officer to be interested in such matters. Designation of those Commissioners who would attend each of the Hearings was not definitely determined but it was evident that a sufficient number would be at each Hearing to provide ample representation.

MINUTES

On Motion made by Commissioner McDonnell and seconded by Commissioner Hicks the Minutes of the Meetings of May 18, and May 25, were approved unanimously.

APPRECIATION

Acting Executive Secretary Huston expressed appreciation to Mr. Hertel for providing the equipment to record the meeting as a demonstration of the use of such equipment in the conduct of the formal Hearings anticipated.

NEXT MEETING

No time and place for the next meeting of the Commission was established.

ADJOURNMENT

The meeting was adjourned at 2:10 P.M.

ATTEST:

Gene Muehleisen

GENE MUEHLEISEN, Executive Officer

Eugene Huston

EUGENE HUSTON (Acting Executive Officer)

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES

MEETING 6

Attorney General Conference Room
State Building, San Francisco
May 25, 1960

Chairman Ficklin convened a Special meeting of the Commission in Executive Session at 10:00 A.M.

Present:

LOHN R. FICKLIN, Chairman
GENE MUEHLEISEN, Vice Chairman
ROBERT T. ANDERSEN
HOWARD W. CAMPEN
ALLEN B. COTTAR
JAMES V. HICKS
DAN KELSAY
MARTIN C. McDONNELL

Absent:

SAMUEL LEASK, JR.

Guest:

MELVIN L. HAWLEY, Deputy Director, Department of Justice
(Representing Attorney General Mosk)

The Commission unanimously accepted the resignation of Executive Officer Joan D. Holstrom effective as of the close of business May 25, 1960, (Commissioner Leask voted by telegram).

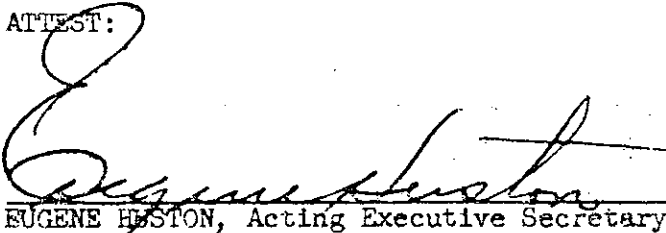
The Commission appointed Commissioner Gene Muehleisen Executive Officer effective May 26, 1960 (without compensation to July 18, 1960, to afford the Executive Officer time to terminate his personal affairs in San Diego).

On motion made by Commissioner Kelsay, seconded by Commissioner Andersen, the Commission elected Commissioner Martin McDonnell (Temporary) Vice Chairman to succeed Commissioner Muehleisen.

The next meeting of the Commission was set for 9:30 A.M., June 17, 1960, in Sacramento. (This action amended the date established at the May 18, 1960, meeting.)

Meeting adjourned 1:05 P.M.

ATTEST:


EUGENE HESTON, Acting Executive Secretary

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES

MEETING of May 18, 1960

APPROVED

June 17, 1960

Unanimous ☒ : as Amended : as Corrected : By Order of the Chair :

<u>COMMISSIONER</u>	<u>MOVED</u>	<u>SECOND</u>	<u>PRESENT</u>	<u>ABSENT</u>
ANDERSEN _____	—	—	✓	✓
CAMPEN _____	—	✓	✓	—
COTTAR _____	—	—	✓	—
FICKLIN _____	—	—	✓	—
HICKS _____	—	—	—	—
KELSAY _____	—	—	—	✓
LEASK _____	—	—	—	✓
McDONNELL _____	✓	—	✓	—
MUEHLEISEN _____	—	—	—	—